

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, Plaintiff	v.  FAITH NEWTON, Defendant
----------------------------------------	--------------------------------------

Docket No: 1:21-CR-10035-ADB/GAO

2024 SEP 26 PM 3:00  
FILED  
US DISTRICT COURT  
MASSACHUSETTS

**DEFENDANT'S REPLY TO GOVERNMENT'S RESPONSE TO REQUEST TO CONTINUE  
SENTENCING (DOC 814) AND MOTION TO REQUEST EVIDENTIARY HEARING  
RELATING TO GOVERNMENT'S PROPOSED OFFENSE CONDUCT RELEVANT TO  
SENTENCING AND COMPLETION OF PRESENTENCE REPORT**

Although it is the position of the Defendant that the United States Attorney's Office for the District of Massachusetts is disqualified from this case due to conflict of interest as a result of ex parte communication between the trial judge, District Judge Allison Burroughs, and the Acting United States Attorney for the District of Massachusetts, Joshua Levy, ("Acting USA Levy") during which the two discussed undisclosed matters of a personal nature as well as matters relating the release of the Defendant from pretrial detention, Ms. Newton nevertheless files this reply in support of the Probation Office's request to continue sentencing to December and objects to the government's incredulous and unethical insinuations suggested by AUSA Brady in the government's filing in (DOC 814) and further objects to AUSA Brady's attempt to diminish Ms. Newton's Constitutional rights to access court and to grieve the government by his flippant and highly unprofessional comments meant to dissuade her from "making pro se filings at the clerk's window."

On July 19, 2024, Ms. Newton became the victim of a sham conviction orchestrated by AUSAs Brady and Looney as part of their fraud against the defendant to illegally obtain her assets under the color of law as they conspired to deprive her of her rights. While AUSA Brady asserts in the government's response to the Probation Office's request for continuance that the "Defendant's conduct is unacceptable," he refrains from

any explanation of his own egregious criminal conduct as he continues to abuse his office to perpetrate a fraud against the Defendant, the American Public, and this court. To be clear, any perceived disregard for Probation is solely the result of rejection of the continued unlawful claims of guilt by AUSA Brady and his unlawful antics carried out under the color of law.

Ms. Newton reminds this government and this court that “trial” was carried out while a current, docketed appeal was pending with the First Circuit regarding release of illegally restrained assets to hire counsel to defend against the charges AUSA Brady insists Ms. Newton is guilty of. It is Mr. Brady and Mr. Looney, the same attorneys who are prosecuting the criminal case, who noticed their appearance in the related civil in rem forfeiture case, and argued against release of those funds, unethically inserting themselves into Ms. Newton’s defense, by advocating for denial of funds which they knew was an indirect advocacy to deny her legal representation.

AUSA Brady did not achieve a conviction at trial for which he seems so proud, he unethically advocated to deny Ms. Newton representation, moved forward with trial knowing that jurisdiction lay squarely with the First Circuit as a result of the pending appeal, and defrauded his way into a sham conviction by witness tampering and conspiracy to wrongfully convict. There is no defense against the unconscionable actions of the government, under the direction of conflicted Acting USA Levy, and conflicted Judge Burroughs, who has now filed knowingly fraudulent judicial orders to the docket in an attempt to protect that sham conviction from being rightfully stricken. This court should be appalled, but instead chose to be part of the conspiracy.

AUSA Brady’s obvious disdain for Ms. Newton and her tenacious pursuit of justice, evident in the suppressed but palpable emotion in his filings, is indicative of the emptiness of the void that would be his conscience amplified as a result of his continued deliberate disregard for the truth. AUSA Brady’s impatient pursuit of sentencing of Ms. Newton, for a crime he knows she did not commit and for which he obtained

conviction by unethical legal gamesmanship and disregard for the rule of law, is a clear attempt to obstruct justice. The government's wishful thinking whereby AUSA Brady hopes to promptly banish Ms. Newton to a federal prison in an effort to silence her to prevent the exposure of his own outrageous fraud on this court, theft of assets under the color of law disguised as legal forfeiture, and conspiracy to deprive Ms. Newton of her rights, among other state and federal crimes is to no avail. The crimes committed by the officers of this court against Ms. Newton and her family will not go unanswered. The same law that has been so defiled as to be weaponized, will be the law that holds AUSA Brady, the government, and members of the judiciary to account for their conduct and unnatural cruelty toward their fellow man.

Justice is but truth in action. Let This Truth result in the action of true justice, effectuated by The High Court against the corruption that seeks to imprison an innocent American, at all costs, while "We The People" pay an enormous societal price for the moral and ethical failures of those who would abuse their offices for personal gain. This conspiratorial fraud has been exposed and no amount of continued nonsense by its bad actors will change the inevitable outcome of accountability for all of those involved in its evil.

Certainly AUSA Brady and his co-conspirators should not be rewarded for their criminal conduct in violation of their oath of office. It is the conduct of the officers of this court that is shameful. AUSA Brady does not deserve to carry a title with the words United States included in it, whereby he pretends to represent The People of the United States as an Assistant United States Attorney, when in fact, he only represents himself, seeking only to fill the void left by his absent conscience with insatiable greed and ego fueled by hubris. There is nothing more unamerican than to carry out the disgusting targeting of seemingly defenseless individuals for abuse and psychological violence in the name of justice. All involved in this fraud on the court and weaponization of the justice system against Ms. Newton and her family members WILL be held accountable to the fullest extent of the law.

It is likewise the position of the Defendant that District Judge O'Toole, recused from the above-captioned matter in an electronic order issued on February 10, 2023, filed on docket number 288, is disqualified pursuant to 28 U.S.C. §144, 28 U.S.C. §455, and pursuant to the Title 28 Judicial Conduct and Disability Act. As such, Judge O'Toole is legally barred from ruling on this or any other matter in this case. Due to the judicial disqualification of both Judge Burroughs and Judge O'Toole, Ms. Newton requests that this case be randomly reassigned pursuant to Local Rule 40.1 and in accordance with the policies, procedures, and guidelines of the Administrative Offices of the U.S. Courts and further requests that a qualified district judge rule on this motion to request a hearing.

**EVIDENTIARY HEARING FOR STATEMENTS OF OFFENSE CONDUCT**

The Defendant objects to the entirety of the government's submitted offense conduct and requests an evidentiary hearing requiring the government to establish material facts claimed in the submitted offense conduct that was not established at trial beginning with the government's claim that Ms. Newton owned and operated Arbor Homecare Services LLC.

Ms. Newton continues to vehemently deny ownership of Arbor Homecare Services LLC. Ownership of a limited liability company can only be proven by a copy of a tax return showing who the shareholders are. The government failed to establish this highly relevant material fact at trial, knows that Ms. Newton did not own Arbor Homecare Services LLC, but continues to make this baseless assertion, slandering Ms. Newton by associating her with ownership of a company alleged to have engaged in fraud, which caused companies she DID own to be negatively impacted. The trial judge repeatedly ignored this important fact as a result of extreme bias caused by criminal conspiracy.

The government's deliberate disregard for the truth is an effort to hide the fact that Ms. Newton was convicted personally for crimes alleged to have been committed by Arbor Homecare Services LLC. Under corporate responsibility laws, Ms. Newton cannot be held accountable for crimes alleged to have been

committed by a company she did not own and was not a manager of. Ms. Newton was removed from corporate structure in 2012, nearly a decade before the government filed charges. The government's continued and deliberate disregard for the truth cannot be allowed to continue.

The entirety of the government's proposed offense conduct includes material facts not supported by evidence and not determined by the jury, statements based on facts not in evidence (see offense conduct #15 where no Arbor billing or actual bills were presented at trial to support the government's outrageous claims), and other continuous unsupported lies by the government, all to cover the fraud of the court while simultaneously seeking to provide the gamesmanship of law that will deceive the public into believing the theft of Ms. Newton's assets is a legal forfeiture.

Ms. Newton's conviction is not valid as she was never legally indicted for any crime. While Ms. Newton understands that may be an issue on appeal, Judge Burroughs's issuance of knowingly false judicial orders including the order that resulted in the transfer of this case back to a recused judge, the trial judge's ex parte communications with Acting USA Levy, lack of jurisdiction due to pending appeal with the First Circuit and refusal of conflicted trial judge to continue trial or to stay pending that appeal, prosecutor filings of a knowingly fraudulent appeal under false pretenses and under the order of Acting USA Levy resulting in 28 days of additional unlawful detention as a result of the documented conspiracy, violation of the Speedy Trial Act after mistrial not caused by a hung jury, Judge O'Toole's adversarial rulings after recusal including a denial of Defendant's motion to release funds to hire counsel, and denial of her request to travel to attend funeral services despite being fully aware of the fraudulent conviction in which this court participated, and recusal of the Magistrate Judge, the District Judge, and two Assistant United States Attorneys all originally assigned to the case and all forced out due to conflicts of interest/investigation of fraud all provide sufficient cause for this court to continue sentencing to December while appeals and writs likely to vacate Ms. Newton's conviction make their way through the appellate process.

In the alternative, the defendant requests this court to require the government to show cause as to why it should be allowed to enter knowingly false and/or unsubstantiated statements into the record without sanctions and to provide proof, this time adhering to the Federal Rules of Evidence with a proper foundation and authenticated in accordance with the law, for all statements of Offense Conduct alleged in the governments submission to the defendant to be used at sentencing.

DATE: *Sep 26 2024*

RESTPECTFULLY SUBMITTED,



Faith Newton, Defendant, Pro Se